



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*50 Main Street, Suite 1100
White Plains, New York 10606*

June 9, 2023

By ECF and Email

The Honorable Philip M. Halpern
United States District Judge
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

**Re: *United States v. Jamees Cooke* (23 Cr. 8)
Motion to Adjourn Status Conference and Application to
Exclude Time**

Dear Judge Halpern:

The Government writes the Court to request an adjournment of the status conference, currently set for June 13, 2023, to a date three to four weeks out.

By way of background, the defendant Jamees Cooke was arrested on or about December 5, 2022 and indicted on December 29, 2022 for assaulting a federal officer, in violation of 18 U.S.C. § 111. Originally, Mr. Cooke was detained at MDC Brooklyn, but on May 19, 2023, Mr. Cooke was transferred from to FDC Philadelphia.

At the last status conference on April 24, 2023, the Court set a schedule for defense counsel to submit its mitigation package to the Government by May 1, 2023, and a status conference on June 13, 2023. Defense counsel did timely submit its mitigation package by May 25, 2023. The Government is reviewing that submission and other records (including video of the incident and more than 500 pages of medical records provided by MDC Brooklyn), but needs more time to complete its review, and the parties need more time to discuss a potential pretrial resolution. Additionally, due to an error on the part of the Government, it would not be possible to produce Mr. Cooke from FDC Philadelphia to the Southern District in time for the status conference as currently scheduled. (The U.S. Marshals require a lead time of three to four weeks to bring a defendant from out of state.)

Accordingly, the Government seeks to adjourn the June 13, 2023 status conference to a date three to four weeks from today. To the extent the Court grants the adjournment, the Government also requests that time be excluded under the

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Speedy Trial Act through the date of the next scheduled status conference so that the parties can continue to discuss a possible pretrial resolution. Such an exclusion would be in the interests of justice.

The Government has conferred with defense counsel, who does not object to the proposed adjournment or extension of time.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

by: /s/ Timothy Ly
Timothy Ly
Assistant United States Attorney
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Application granted. The status conference scheduled for June 13, 2023 is adjourned to July 18, 2023 at 12:00 p.m. It is hereby ordered that the time from June 13, 2023 to July 18, 2023 be excluded from the computation of the time period within which trial of the charges against the defendant must commence, pursuant to the Speedy Trial Act of 1974, 18 U.S.C. § 3161(h)(7)(A). The Court finds that this exclusion of time serves the ends of justice and outweighs the interest of the public and the defendant in a speedy trial.

The Clerk of Court is respectfully requested to terminate the motion sequence pending at Doc. 14.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: White Plains, New York
June 12, 2023